

Attorney Docket No.: 81862P174

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Gordon Pack, et al.

Application No.: 09/550,443

Filed: April 17, 2000

For: DYNAMIC QUEUING CONTROL FOR  
VARIABLE THROUGHPUT  
COMMUNICATION CHANNELS

)  
) Examiner: Ferris, Derrick W.

)  
) Art Unit: 2616

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on September 14, 2006  
Date of Deposit

Christopher P. Marshall  
Name of Person Mailing Correspondence  
CP Marshall 9/14/2006  
Signature Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF FORMAL DRAWINGS (REPLACEMENT SHEETS)

Sir:

In response to the Notice Regarding Drawings dated July 17, 2006, transmitted herewith are four (4) sheets of formal corrected drawings labeled as replacement sheets for the above-identified application.

Applicants respectfully submit that these drawing overcome the objections to the drawings.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: September 14, 2006

Lester J. Vincent  
Lester J. Vincent  
Reg. No. 31,460

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**FEE TRANSMITTAL FOR FY 2006**

Effective on 10/01/2005. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 1,430.00

Complete if Known:

Application No. 09/550,443  
 Filing Date April 17, 2000  
 First Named Inventor Gordon Pack  
 Examiner Name Ferris, Derrick W.  
 Art Unit 2616  
 Attorney Docket No. 81862P174

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)
☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)
**Deposit Account**Deposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:

☐ Charge fee(s) indicated below.

☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

☐ Charge fee(s) indicated below except for the filing fee

☒ Credit any overpayments.

☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
 Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| <u>Large Entity</u>         |                 | <u>Small Entity</u> |                 | <u>Fee Description</u>             |           | <u>Fees Paid (\$)</u> |
|-----------------------------|-----------------|---------------------|-----------------|------------------------------------|-----------|-----------------------|
| <u>Code</u>                 | <u>Fee (\$)</u> | <u>Code</u>         | <u>Fee (\$)</u> |                                    |           |                       |
| 1011                        | 300             | 2011                | 150             | Utility application filing fee     | 1,000/500 | _____                 |
| 1111                        | 500             | 2111                | 250             | Utility search fee                 |           | _____                 |
| 1311                        | 200             | 2311                | 100             | Utility examination fee            |           | _____                 |
| 1012                        | 200             | 2012                | 100             | Design application filing fee      | 430/215   | _____                 |
| 1112                        | 100             | 2112                | 50              | Design search fee                  |           | _____                 |
| 1312                        | 130             | 2312                | 65              | Design examination fee             |           | _____                 |
| 1013                        | 200             | 2013                | 100             | Plant filing fee                   | 660/330   | _____                 |
| 1113                        | 300             | 2113                | 150             | Plant search fee                   |           | _____                 |
| 1313                        | 160             | 2313                | 80              | Plant examination fee              |           | _____                 |
| 1004                        | 300             | 2004                | 150             | Reissue filing fee                 | 1,400/700 | _____                 |
| 1114                        | 500             | 2114                | 250             | Reissue search fee                 |           | _____                 |
| 1314                        | 600             | 2314                | 300             | Reissue examination fee            |           | _____                 |
| 1005                        | 200             | 2005                | 100             | Provisional application filing fee |           | _____                 |
| SUBTOTAL (1) \$ <u>0.00</u> |                 |                     |                 |                                    |           | _____                 |

**2. EXCESS CLAIM FEES**

|   |                          | <u>Extra Claims</u> | <u>Fee from below</u> | <u>Fees Paid (\$)</u> |
|---|--------------------------|---------------------|-----------------------|-----------------------|
| <b>Total Claims</b>   | _____ - 20 or HP = _____ |                     | X _____ = _____       |                       |
| HP = highest number of total claims paid for, if greater than 20      |                          |                     |                       |                       |
| <b>Independent Claims</b>   | _____ - 3 or HP = _____  |                     | X _____ = _____       |                       |
| HP = highest number of independent claims paid for, if greater than 3 |                          |                     |                       |                       |
| <b>Multiple Dependent Claims</b>                                      |                          |                     | _____ = _____         |                       |

| <u>Large Entity</u> |      | <u>Small Entity</u> |      |  |
|---------------------|------|---------------------|------|--|
| Fee                 | Fee  | Fee                 | Fee  |  |
| Code                | (\$) | Code                | (\$) | <u>Fee Description</u>   |
| 1202                | 50   | 2202                | 25   | Each claim over 20   |
| 1201                | 200  | 2201                | 100  | Each independent claim over 3                                    |
| 1203                | 360  | 2203                | 180  | Multiple dependent claims, if not paid                           |
| 1204                | 200  | 2204                | 100  | Reissue: each claim over 20 and more than in the original patent |
| 1205                | 50   | 2205                | 25   | Reissue: each independent claim more than in the original patent |

SUBTOTAL (2) \$ 0.00

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each add'l<br/>50 or fraction thereof</u> | <u>Fee from below</u> | <u>Fees paid (\$)</u> |
|---------------------|---------------------|--|-----------------------|-----------------------|
| _____               | - 100 = _____       | / 50 = _____ (round up to whole number)                | X _____               | _____                 |

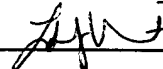
| <u>Large Entity</u> |      | <u>Small Entity</u> |      |  |
|---------------------|------|---------------------|------|--|
| Fee                 | Fee  | Fee                 | Fee  |  |
| Code                | (\$) | Code                | (\$) | <u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec &amp; drawings except sequences &amp; program listings):</u> |
| 1081                | 250  | 2081                | 125  | Utility  |
| 1082                | 250  | 2082                | 125  | Design   |
| 1083                | 250  | 2083                | 125  | Plant  |
| 1084                | 250  | 2084                | 125  | Reissue  |

SUBTOTAL (3) \$ 0.00

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

|   |          |                     |          | <b>Fees Paid (\$)</b>  |                    |
|---|----------|---------------------|----------|--|--------------------|
| Non-English Specification, \$130 fee (no small entity discount)         |          |                     |          |  |                    |
| <u>Large Entity</u>   |          | <u>Small Entity</u> |          |  |                    |
| Fee Code  | Fee (\$) | Fee Code            | Fee (\$) | Fee Description  |                    |
| 1051  | 130      | 2051                | 65       | Surcharge - late filing fee or oath  |                    |
| 1052  | 50       | 2052                | 25       | Surcharge - late provisional filing fee or cover sheet                     |                    |
| 1053  | 130      | 1053                | 130      | Non-English specification  |                    |
| 1812  | 2,520    | 1812                | 2,520    | For filing a request for ex parte reexamination                            |                    |
| 1813  | 8,800    | 1813                | 8,800    | Request for inter parties reexamination                                    |                    |
| 1804  | 920*     | 1804                | 920*     | Requesting publication of SIR prior to Examiner action                     |                    |
| 1805  | 1,840*   | 1805                | 1,840*   | Requesting publication of SIR after Examiner action                        |                    |
| 1251  | 120      | 2251                | 60       | Extension for reply within first month                                     |                    |
| 1252  | 450      | 2252                | 225      | Extension for reply within second month                                    |                    |
| 1253  | 1,020    | 2253                | 510      | Extension for reply within third month                                     |                    |
| 1254  | 1,590    | 2254                | 795      | Extension for reply within fourth month                                    |                    |
| 1255  | 2,160    | 2255                | 1,080    | Extension for reply within fifth month                                     |                    |
| 1401  | 500      | 2401                | 250      | Notice of Appeal   |                    |
| 1402  | 500      | 2402                | 250      | Filing a brief in support of an appeal                                     |                    |
| 1403  | 1,000    | 2403                | 500      | Request for oral hearing   |                    |
| 1451  | 1,510    | 1451                | 1,510    | Petition to institute a public use proceeding                              |                    |
| 1452  | 500      | 2452                | 250      | Petition to revive - unavoidable   |                    |
| 1453  | 1,500    | 2453                | 750      | Petition to revive - unintentional   |                    |
| 1501  | 1,400    | 2501                | 700      | Utility issue fee (or reissue)   | 1,400.00           |
| 1502  | 800      | 2502                | 400      | Design issue fee   |                    |
| 1503  | 1100     | 2503                | 550      | Plant issue fee  |                    |
| 1462  | 400      | 1462                | 400      | Petitions to the Commissioner (CFR 1.17(f) Group I)                        |                    |
| 1463  | 200      | 1463                | 200      | Petitions to the Commissioner (CFR 1.17(g) Group II)                       |                    |
| 1464  | 130      | 1464                | 130      | Petitions to the Commissioner (CFR 1.17(h) Group III)                      |                    |
| 1807  | 50       | 1807                | 50       | Processing fee under 37 CFR 1.17(q)  |                    |
| 1806  | 180      | 1806                | 180      | Submission of Information Disclosure Stmt                                  |                    |
| 8021  | 40       | 8021                | 40       | Recording each patent assignment per property (times number of properties) |                    |
| 1809  | 790      | 2809                | 395      | For filing a submission after final rejection (see 37 CFR 1.129(a))        |                    |
| 1814  | 130      | 2814                | 65       | Statutory Disclaimer   |                    |
| 1810  | 790      | 2810                | 395      | For each additional invention to be examined (see 37 CFR 1.129(b))         |                    |
| 1801  | 790      | 2801                | 395      | Request for Continued Examination (RCE)                                    |                    |
| 1802  | 900      | 1802                | 900      | Request for expedited examination of a design application                  |                    |
| 1504  | 300      | 1504                | 300      | Publication fee for early, voluntary, or normal pub.                       |                    |
| 1505  | 300      | 1505                | 300      | Publication fee for republication  |                    |
| 1803  | 130      | 1803                | 130      | Request for voluntary publication or republication                         |                    |
| 1808  | 130      | 1808                | 130      | Processing fee under 37 CFR 1.17(i) (except provisionals)                  |                    |
| 1454  | 1,370    | 1454                | 1,370    | Acceptance of unintentionally delayed claim for priority                   |                    |
| Other fee (specify) <u>Printed Copy of patent w/o color (10 copies)</u> |          |                     |          |  | 30.00              |
| Other fee (specify) _____   |          |                     |          |  |                    |
| <b>SUBTOTAL (4)</b>   |          |                     |          |  | <b>\$ 1,430.00</b> |

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Lester J. VincentSignature: Date: September 14, 2006Reg. Number: 31,460Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450